

**Town of Webster
Office of Select Board
945 Battle Street
Webster, NH 03303
Final Minutes – July 18, 2016
Approved August 1, 2016**

Staff Present: Bruce Johnson, Michael Borek, Nanci Schofield, Wendy Pinkham, Phil Mitchell, Emmett Bean and Leslie Palmer

Public Present: Tara Gunnigle, Greg Roberts

Chairman Johnson opened the meeting at 6:30 PM.

The Board signed the following for Administrative Assistant Leslie Palmer:

- Chairman Johnson moved to accept the 07/05/2016 Select Board Work Session minutes as written. Selectwoman Schofield seconded the motion. All in favor, the motion was approved.
- Chairman Johnson moved to accept the 07/05/2016 Select Board minutes as written. Selectwoman Schofield seconded the motion. All in favor, the motion was approved.
- Chairman Johnson moved to accept the 07/05/2016 Select Board Non-Public minutes as written. Selectwoman Schofield seconded the motion. All in favor, the motion was approved.
- The Select Board signed three copies of the Central New Hampshire Regional Planning Commission's Letter of Agreement for facilitating the process of updating the Town's Local Emergency Operations Plan.
- Administrative Assistant Palmer provided for Select Board review a draft letter to General Stark abutters regarding the recent upgrade to a portion of the road. The Board approved the letter with minor revision.
- Administrative Assistant Palmer provided the Board with information regarding the creation of a revolving fund for Police Special Details to be reviewed again during budget work sessions.
- The Planning Board Hearing for work related to Bashan Hollow Rd, a Scenic Road, will be this Thursday, July 21st at 7:00 PM.

The Board signed the following for Financial Administrator Wendy Pinkham:

- The Select Board signed the payroll and accounts payable manifests.
- Administrator Pinkham brought forward an Intent to Cut on Mutton Rd for Select Board signature. A discussion followed as the correct process in applying for an Intent to Cut. Road Agent Bean reminded the Board that an applicant needs to first apply for a temporary driveway permit. The Board should not be signing an Intent unless it has the approved driveway permit attached or an explanation from the Road Agent as to why it is not needed. Selectman Borek asked if the Police see a cutting operation that they stop and ask to see if paperwork is in order. If it is not, DRA will be contacted to shut the operation down. Chairman Johnson took this opportunity to remind residents that the Select Board signs paperwork at regularly scheduled Board meetings; Select Board members are volunteers and cannot always be available to sign paperwork between meetings.

Board Motion: Chairman Johnson moved to create an informal policy that states the return time is five business days for Select Board signature when paperwork is presented for signature. Selectwoman Schofield seconded the motion. All in favor, the motion was approved.

- The Select Board approved the replacement battery installation for the fire alarm at Town Hall by Interim Chief Mitchell.
- Chairman Johnson moved to the authorize payment of \$1,676.22 for interest on the bond payment for the Public Safety Building, to paid from Impact Fees. Selectwoman Schofield seconded the motion. All in favor, the motion was approved.
- Chairman Johnson moved to approve a Certificate of Resolution as read: "Resolved that the Town of Webster shall participate as a member in the HealthTrust pooled risk management program for the provision of group medical and/or other benefit plans in accordance with the 'Application and Membership Agreement' and NH RSA 5-B. Resolved that Wendy E. Pinkham is hereby authorized and directed to execute and deliver to HealthTrust, on behalf of the Town of Webster, the 'Application and Membership Agreement' in substantially the form presented to this meeting. I further certify that the foregoing resolution remains in full force and effect without modification." Selectwoman Schofield seconded the motion. All in favor, the motion was approved.
- Chairman Johnson signed the HealthTrust, Inc. COBRA Administrative Services Agreement and Retiree Billing

Administrative Services Agreement.

Interim Police Chief Phil Mitchell presented or advised the Board of the following:

- 47 calls for service in the last two weeks
- The Select Board approved a vacation request for the Administrative Assistant and for Interim Chief Mitchell.
- Chairman Johnson moved to approve the increase of the Special Detail rate from \$65.29/hr to \$68.29/hr to cover retirement costs. Selectwoman Schofield seconded the motion. All in favor, the motion was approved.
- The radio in car 3 is down and will go in for repair on July 27th.
- Set-up of the new tablets is almost complete; training will take place at the Sheriff's office next week.
- Interim Chief Mitchell and Officer Shapiro will attend Taser recertification class at the Boscawen Police Department next week.
- Officers were called out twice in the last two weeks.
- Interim Chief Mitchell reminded the Select Board that he will be on vacation this week.
- Selectwoman Schofield noted that there are more people walking and riding bikes now that summer is here and recounted a story of girls riding bikes on Concord Dr. recently that posed a safety concern. Interim chief Mitchell indicated that the speed trailer will be here in August and an article will be posted in the Grapevine as to the list of spots it will be used to curb speeding.

In response to the question of what makes a warrant article "advisory" asked at the previous Select Board meeting, Chairman Johnson shared the reply to that question from NHMA's legal counsel. The warrant article in question from 1994 was: "To see if the Town will vote to eliminate the second full time position of Police Officer, and return to the previous status of full time Chief and part time officers (By Petition). The Selectmen do not recommend this article." The reply from legal counsel:

An article is advisory if it purports to direct the select board to undertake actions that by statute are committed to the discretion of the select board. Under RSA 105:1 the select board appoints police officers and designates one of them as chief of police. Since the select board members are the municipal officials authorized to make the decision to hire full or part-time police officers and a police chief, the town meeting cannot dictate the actions of the select board in that regard. For that reason the article you quote is therefore advisory.

Chairman Johnson then provided two more examples of advisory warrant articles. Last year's petition warrant article that requested that the Town break out portions of the budget into separate warrant articles was "advisory" in that the Select Board is responsible for creating the annual warrant. Therefore, regardless of a Town Meeting vote, the Select Board could create an annual warrant as it chooses and is therefore advisory. The second example referred to the Merrimack Valley School District. For several years there has been a warrant article presented asking to move the Annual Meeting to Saturday. It has not passed but even if it had, the School Board is still responsible for setting the meeting date and could then continue to keep the meeting on Thursday nights. Therefore, the article is advisory.

Fire Chief Emmett Bean presented or advised the Board of the following:

- 7 calls for service in the last two weeks; 102 calls year to date.
- The use of tables and chairs from the Town Hall for the Chicken BBQ on July 30th was discussed; Fire Chief Bean will coordinate with Administrative Assistant Palmer.
- The Fire Department has received three new applications for membership and two new applications for the Explorers.

Road Agent Emmett Bean presented or advised the Board of the following:

- Three days were spent ditching Gerrish Rd.
- Road side mowing on one side of Town is complete.

Municipal Volunteer Program:

Kim Fortune met with the Select Board to discuss the creation of a Municipal Volunteer Program. She provided the Board with an example of one such program from the town of Lewiston, Maine. She indicated that there has been success in other communities with this type of program and provided the Board with a presentation that illustrated the value of volunteer service. The Select Board was agreeable to exploring the concept; Chairman Johnson recommended that she begin by organizing a committee to research the idea further.

Impact Fees:

Discussion continued as to potential uses for impact fee money related to the Town Hall building. The Select Board asked Administrative Palmer to follow up with TDS to see if the Town can purchase phones in exchange for discounted monthly service, as offered last year. The possibility of using the money towards some of the ADA work on the building was also discussed. The costs associated with paving and entry way ADA access were reviewed. The concept of updating the back door for handicap access this year using impact fee money was brought forward. Administrative Assistant Palmer will post an ad on the website and in the Grapevine asking local builders to submit proposals for the work, to be completed in September/October. When asked by Greg Roberts, Administrative Assistant Palmer confirmed that capital reserve money could be used in addition to impact fee money if necessary.

Road Agent Bean continued the discussion of maintenance related to Chadwick Hill as mentioned at the last Select Board meeting. The Select Board asked Administrative Assistant Palmer to look into the steps necessary to designate Chadwick Hill as an Emergency Lane. Road Agent Bean will look into repair costs.

Public Comment:

Tara Gunnigle asked about insurance coverage related to the Old Home Day Parade; Administrator Pinkham will contact PRIMEX. Ms. Gunnigle also reported that Webster's Mast Wheels were recently featured in the Town of Lee during its Old Home Day. It was so successful that the town of Lee wants to coordinate with Webster on future events. She also asked Select Board members if they had thought about potential uses for the Copart property now that it is vacant. What kind of business would work well in Town? The Select Board indicated that it has not looked into it and reminded residents that Copart has not officially reported to the Town that it is leaving the site.

At 8:15 PM, Selectman Borek requested to go into Non-Public Session under RSA 91-A:3 IIc, to discuss "matters which, if discussed in public, would likely affect adversely the reputation of any person..." Selectwoman Schofield seconded the motion. Roll call was taken, Chairman Johnson – yes, Selectman Borek – yes, Selectwoman Schofield – yes.

A motion was made by Chairman Johnson to come out of Non-Public Session at 8:41 PM and Selectwoman Schofield seconded. All in favor the motion was approved.

A motion was made by Chairman Johnson to seal the Non-Public Minutes and Selectwoman Schofield seconded. Roll call was taken, Chairman Johnson – yes, Selectman Borek – yes, Selectwoman Schofield – yes.

Action Items:

- Mike will update the Personnel Policy
- Leslie will look into the process of designating a road an emergency lane
- Emmett will look into the costs associated with work needed on Chadwick Hill
- Leslie will send out General Stark letters to abutters
- Leslie will contact TDS about phone purchase
- Leslie will draft an ad seeking construction proposals
- Wendy will contact PRIMEX about insurance coverage related to the Old Home Day parade

At 8:42 PM, Chairman Johnson made a motion to adjourn; seconded by Selectman Borek and approved.

Respectfully Submitted, Leslie M. Palmer